

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Joshua W.,)	
Plaintiff,)	
)	Civil Action No.: 3:23-cv-00120
v.)	
)	
Martin O'Malley,¹)	Magistrate Judge Litkovitz
Commissioner of Social Security,)	
Defendant.)	
)	

ORDER

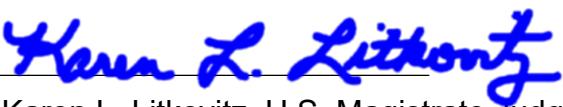
This cause coming before the Court on the joint motion of the parties, due notice having been given, and the Court being fully advised,

IT IS THEREFORE ORDERED THAT:

1. The Parties' Joint Stipulation for an Award of Attorney's Fees under the Equal Access to Justice Act is accepted and the Commissioner shall pay Plaintiff's attorney fees in the amount of \$5,100.00 and costs in the amount of \$0, for a total award of \$5,100.00;
2. Counsel for the parties shall verify whether or not Plaintiff owes a preexisting debt subject to offset, consistent with *Astrue v. Ratliff*, [130 S.Ct. 2521](#), [560 U.S. 586](#) (2010) and [31 U.S.C. §§ 3701\(b\), 3711, 3716](#). If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff; and
3. The case remains terminated on the docket of this Court.

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, [42 U.S.C. § 405\(g\)](#).

Date: 11/27/2024

Entered: 
Karen L. Litkovitz, U.S. Magistrate Judge